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Attorneys for Respondents,
Masimo Corporation and Cercacor Laboratories, Inc.

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

<p>OWLET BABY CARE, INC.,</p> <p style="text-align: center;">Petitioner,</p> <p>vs.</p> <p>MASIMO CORPORATION and CERCACOR LABORATORIES, INC.,</p> <p style="text-align: center;">Respondents.</p>	<p>Case No. 2:21-mc-00096-TS (JCB)</p> <p>DECLARATION OF PERRY D. OLDHAM IN SUPPORT OF RESPONDENTS MASIMO CORPORATION AND CERCACOR LABORATORIES, INC.'S OPPOSITION TO THIRD PARTY OWLET BABY CARE, INC.'S MOTION TO REOPEN THE CASE AND RECONSIDER THE ORDER DENYING OWLET'S MOTION TO QUASH WITHOUT PREJUDICE</p> <p>[FILED ELECTRONICALLY]</p> <p>Judge Ted Stewart Magistrate Judge Jared C. Bennett</p>
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I, Perry D. Oldham, hereby declare:

1. I am a partner in the law firm of Knobbe, Martens, Olson & Bear, LLP, and I am licensed to practice law in the State of California. I am Counsel for Plaintiffs Masimo Corporation (“Masimo”) and Cercacor Laboratories, Inc. (“Cercacor”) (collectively “Plaintiffs”) in the above-captioned action. I have personal knowledge of the matters set forth herein and, if I am called upon to testify, I could testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of email correspondence between counsel concerning the attempts and eventual agreement that the parties would have a discussion regarding the subpoena.

3. Attached hereto as Exhibit 2 is a true and correct copy of Sarah Sang’s LinkedIn profile, last visited March 11, 2021, that identifies her location as Culver City, California.

4. Attached hereto as Exhibit 3 is a true and correct copy of Jill Spivack’s LinkedIn profile, last visited March 11, 2021, that identifies her location as Pacific Palisades, California.

5. Attached hereto as Exhibit 4 is a true and correct copy of Jennifer Waldburger’s LinkedIn profile, last visited March 11, 2021, that identifies her location as Santa Monica, California.

6. Attached hereto as Exhibit 5 is a true and correct copy of Owlet’s Webpage titled, “Introducing Jill and Jen,” last visited March 11, 2021, available at <https://owletcare.com/pages/meet-the-experts>.

7. Attached hereto as Exhibit 6 is a true and correct copy of Owlet’s Webpage titled, “Dream Lab,” last visited March 10, 2021, available at <https://owletcare.com/products/dream-lab>.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I executed this declaration on March 12, 2021, at Irvine, California.

By: /s/ Perry D. Oldham

Perry D. Oldham

CERTIFICATE OF SERVICE

I hereby certify that on this the 12th day of March, 2021, I caused a copy of the foregoing to be filed using the Court's electronic filing system which provides service to all counsel of record.

/s/ Joshua S. Rupp

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Pursuant to the District of Utah’s Administrative Procedure, E 5, Respondents Masimo Corporation and Cercacor Laboratories, Inc. (“Respondents”) hereby submit the following exhibit appendix in support of Respondents’ Opposition to Third Party Owlet Baby Care’s (“Owlet”) Motion to Reopen the Case and Reconsider the Order Denying Owlet’s Motion to Quash without Prejudice.

EXHIBIT APPENDIX

EXHIBIT NO.	TITLE
1	Email string with Counsel re Meet and Confer Concerning Third Party Objections to Respondents’ Subpoena
2	Sarah Sang’s Senior Product Manager’s Mobile – Owlet Baby Care LinkedIn Profile, dated March 10, 2021.
3	Jill Spivack, Co-Founder, Sleepy Planet at Sleepy Planet LinkedIn Profile, dated March 10, 2021.
4	Jennifer Waldburger, Co-Founder, Sleepy Planet Parenting, Co-Creator, The Dream Lab, LinkedIn Profile, dated March 10, 2021.
5	Owlet’s Webpage titled, “Introducing Jill and Jen,” available at https://owletcare.com/pages/meet-the-experts .
6	Owlet’s Webpage titled, “Dream Lab,” available at https://owletcare.com/products/dream-lab .